



# FAX COVER SHEET

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DATE: 8/2/05TO: LURLE BAKER (3H512)COMPANY: EPA Region IIITELEPHONE: \_\_\_\_\_ FAX: 215 814 3001FROM: Art OConnell

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MESSAGE:

This is for Charlie Howland.  
Could you see that he gets it.

# Polluted property rezoned for homes

*Decision opens door for 1,500 apartments, townhouses*

By Scott Goss  
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The county Wednesday gave a major boost to a New Jersey developer who hopes to build 1,500 apartments and townhouses on an environmentally-contaminated farm near Elkhon.

The Cecil County Commissioners voted 4-2 to allow developer David Meiskin to rezone a farm off of Blue Ball Road commonly referred to as the Herron Farm.

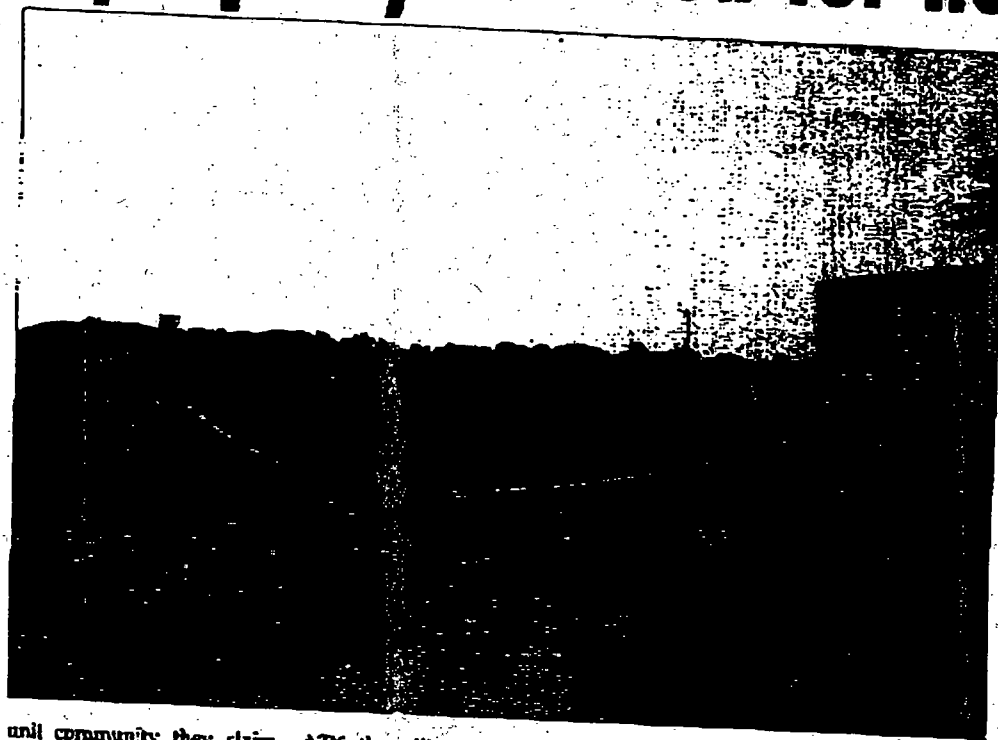
The commissioners' vote changes the suburban residential zoning that previously covered the entire 400-acre property to a 200-acre section zoned multi-family residential, a 20-acre section zoned for industrial use and an eight-acre section of commercially-zoned property.

"I'm very happy, but this is just the beginning for us," Meiskin said after the vote.

The developer has yet to submit an actual subdivision proposal to the county planning commission.

And even if his building plans were to be approved, he still wouldn't be able to build until state and federal environmental agencies complete a cleanup of an approximately 50-acre contamination area.

But Meiskin's legal team testified that Wednesday's rezoning would allow them to undertake more detailed plans for a 1,500-



CECIL COUNTY  
7/10/05

The developer still wasn't able to build until state and federal environmental agencies complete a cleanup of an approximately 50-acre contamination area on the property located off Blue Ball Road near Elkhon.

unit community they claim will avoid the existing pollution and an adjacent testing range owned by one of the nation's largest producers of military-grade munitions and rocket motors.

"We promise to build no more houses than the current zoning allows," Meiskin's lawyer Jay Young told the commissioners. "We just want a different type of housing on a smaller area."

The previous zoning designation would have allowed 400 homes on one-acre lots with wells and septic; 800 homes with public water and sewer; and 1,600 homes under the rarely used "planned unit development" design.

Meiskin's legal team said Wednesday's rezoning would allow the developer to build approximately the same number of homes, but in a configuration that allows more room between the planned development and

ATK, the military contractor next door.

They also testified that the higher building density would allow the developer to cluster the homes so that 160 acres — including the portion contaminated with WWII-era munitions — could be preserved as open space.

To win a rezoning, applicants are required to show a mistake in the county's 1993 comprehensive rezoning or that recent changes in the area necessitate a rezoning.

Meiskin's team took both approaches Wednesday.

Young said the property was mistakenly zoned at lower housing density than what is appropriate in the county's growth corridor between Route 40 and Interstate 95.

Consultant Michael Pugh argued the previous zoning designation mistakenly failed to consider the property's

an adequate buffer between ATK and private homes.

And Meiskin's team claimed the ongoing environmental cleanup should represent a change in the character of the surrounding area.

A dozen county residents spoke in opposition to the rezoning. Most asked the county commissioners to delay consideration of the request until an environmental cleanup of the property is complete.

"It's premature to consider this rezoning because the EPA will tell us what can be done with it when they've finished cleaning it up," Vito Papagno told the commissioners. "Until then, it doesn't matter whether a child playing on that land lives in a rental property or a one-story house."

Commissioner William Marlowe cited the property's location in the deti-

motioned to approve the rezoning based on a mistake.

"It's between Route 40 and 95, it's close to Elkhon, there won't be any more houses than are allowed there now and it would become a multi-use area," he said.

Commissioner Phyllis Kilby, who sits on a multi-agency task force planning for the reuse of contaminated property in Cecil County, cast the lone vote of dissent. She too questioned whether a decision would more appropriate after an environmental cleanup is complete.

Meiskin, through his real estate firm Windsor Properties, has proposed multiple developments in Cecil County in recent years, including the 750-home Villages at Cherry Hill and the 500-home Charlesown Crossing.

To date, none of Meiskin's projects have received final

## BRIEFLY

### Teen charged with attempted arson

A 14-year-old Perry boy was charged attempted arson after edly filling a water gun gasoline and oil and spraying the mixture a neighbor's house, authorities said.

Deputy State Marshal Joseph Zi said the incident occurred around 9 p.m. Tuesday night in the 1100 block Aiken Avenue, Extender.

The boy, who declined to name, squ the flammable concoction on the sidewalk and sprayed the front door the house, Zurolo said.

The boy was arrested after setting the water on fire, Zurolo said.

### Information sought compground burglar

The Cecil County Sheriff's Office is seeking information about a burglary vandalism that occurred at the Indian Acres campground earlier this week.

Sometime between Monday and Tuesday, unknown suspect b into the "teen game room and stole an undetermined amount of money, several of the arcade games and pinball machines, p said.

The same suspect believed to have driven golf cart through a wood fence and into a swim pool.

Anyone with information is asked to call the County Sheriff's Office 410-996-5500.

### Court dates set for accused polluters

Dates for pre-